



Determination of complaint filed on April 25, 2023

1 message

Bowles - DNR, Brock <brock.bowles@state.co.us>
To: kris@cotri.com

Wed, Apr 26, 2023 at 9:07 AM

Dear Ms. McFarland,
The Division of Reclamation, Mining and Safety (Division) is in receipt of a complaint you filed on April 25, 2023. The complaint alleges that your "Neighbor digging into historic mine tailing pile in district where known hazardous chemicals are in those pile. This is right on my property line. I feel this is an emergency." The neighbor in question is Mr. Michael Price.

After the complaint was filed with the Division, you spoke directly with Michael Cunningham of our office and myself. I also spoke with Mr. Brian Smith, a Gilpin County Code Enforcement Official, on April 25, 2023 who contacted the Division with questions about the activity on Mr. Price's property. Mr. Smith said he conducted a site inspection on April 24, 2023, the day before your complaint was filed.

Through these conversations, it has been determined that:

- Tailings have not been removed from Mr. Price's property
- No processing or milling of tailings has taken place on Mr. Price's property
- The tailings are historic in nature, meaning Mr. Price did not recently generate them
- The tailings are being moved around Mr. Price's property but are staying within the property boundary.

For these reasons, it does not appear Mr. Price, or the activities in question, is conducting or participating in a mining operation and therefore is not subject to our regulations. If however, any of the above listed criteria changes, please contact the Division and we will reevaluate the situation.

Regards,
Brock

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Brock Bowles
Environmental Protection Specialist



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